

Re: Wallace Yard and Spur Lines Site - edits to July 1, 2009 Draft SOW 📎

Clifford Villa to: Wurtzler, Gail

07/29/2009 03:10 PM

Thanks, Gail. Any ETA for your cleanup of the draft CD itself? I have final bits to add from DOJ and the State, and could use Friday to pull together the final package.

Thanks.

Cliff Villa
Assistant Regional Counsel
U.S. EPA Region 10

"Wurtzler, Gail"

CONFIDENTIAL SETTLEMENT COMMUNICATION

07/29/2009 02:59:20 PM



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Subject Wallace Yard and Spur Lines Site - edits to July 1, 2009 Draft
SOW

CONFIDENTIAL SETTLEMENT COMMUNICATION
SUBJECT TO FRE 408

Cliff,

I attach the railroads' edits to the version of the SOW that you circulated on July 1, 2009. Because the edits are minor, I printed out the PDF you sent and marked the edits by hand rather than trying to do another redline on top of the redline you sent.

This, of course, is subject to BNSF and UPRR final management review and approval of all of the documents to be included in the package.

Most of the edits are self-explanatory. However, there are a few that I thought I would explain:

1. 2.1.7.5.b - deletion of reference to PMPS because the PMPS does not specify hostile vegetation species. A similar change will be required in Section IV of the CD.
2. 2.2.1 - deletion of "asphalt" in third bullet point because no asphalt barriers are specified for Wallace Yard.
3. 2.2.2 - addition of "during construction" to last bullet point to conform with similar bullet points under Ninemile and Canyon Creek Elements of Work.
4. 4.1 and 5.3 - deletion of Annual Progress reports for BPRP activity on Spur Lines because, under Paragraph 11 of the CD, the State is doing the BPRP work and providing annual reports on that work.

If you have any questions or comments, please call. I will be out of the office on Friday. Thanks.

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